

Bijan Amini
Avery Samet
Jeffrey Chubak
AMINI LLC
131 West 35th Street, 12th Floor
New York, New York 10001
(212) 490-4700
bamini@aminillc.com
asamet@aminillc.com
jchubak@aminillc.com

*Attorneys for Plaintiff Salvatore LaMonica,
as Chapter 7 Trustee*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

TRANSCARE CORPORATION, et al.,

Debtors.

SALVATORE LAMONICA, as Chapter 7
Trustee for the Estates of TransCare
Corporation, et al.,

Plaintiff,

- against -

LYNN TILTON, PATRIARCH PARTNERS
AGENCY SERVICES, LLC, PATRIARCH
PARTNERS, LLC, PATRIARCH PARTNERS
MANAGEMENT GROUP, LLC, ARK II
CLO 2001-1 LIMITED, TRANSCENDENCE
TRANSIT, INC. and TRANSCENDENCE
TRANSIT II, INC.,

Defendants.

Chapter 7

Case No. 16-10407-smb

Adv. Proc. No. 18-01021-smb

**PLAINTIFF-APPELLEE'S AMENDED COUNTER-
DESIGNATION OF ADDITIONAL ITEMS TO BE INCLUDED IN THE
RECORD ON APPEAL, PURSUANT TO RULE 8009(a)(2)¹**

¹ Amended to remove PX 75 from among the additional items designated.

| Designation No. | Date | Document No. | Document Description |
|-----------------------------|-----------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adversary Proceeding Docket | | | |
| 131 | 5/6/2019 | 84 | Amended Answer to Complaint |
| Chapter 7 Case Docket | | | |
| 132 | 5/9/2016 | 132 | Corporate Ownership Statement and Amended List of Equity Security Holders |
| 133 | 7/7/2016 | 199 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0508 to Specialty Care Transport Inc. |
| 134 | 7/7/2016 | 200 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0509 to New York Medical Services Inc. or its Approved Designee, Including InstaCare EMS, LLC |
| 135 | 7/7/2016 | 201 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0667 to Maler Group LLC |
| 136 | 7/7/2016 | 202 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0510 to AMR Holdco, Inc. dba EMS Management LLC |
| 137 | 7/7/2016 | 203 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0164 to NYU Hospital Center |
| 138 | 7/7/2016 | 204 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0470 to Mobile Life Support Services, Inc. |
| 139 | 7/7/2016 | 205 | Order Authorizing and Approving the Sale of Ambulance Service Certificate No. 0164 to NYU Hospital Center |
| 140 | 10/3/2016 | 284 | Motion to Compel Turnover of Proceeds from the Sale of Certain Personal Property filed on behalf of Patriarch Partners Agency Services, LLC |
| 141 | 3/7/2017 | 407 | Motion to Approve, Pursuant to Rule 9019, Stipulation Between Chapter 7 Trustee and Patriarch Partners Agency Services, LLC Resolving its Motion to Compel Turnover of Proceeds from the Sale of Certain Personal Property |
| Joint Trial Exhibits* | | | |
| 142 | 2/4/2015 | JX 10 | Email from Jean Luc Pelissier to Lynn Tilton, copying Brad Schneider and Glenn Farris - TransCare :: Escalated situation & corrective proposal |
| 143 | 2/5/2015 | JX 11 | Email from Brian Stephen to Glenn Leland and Jean Luc Pelissier (CBA), copying Mark Bonilla, Jeff Ellis and Brad Schneider - RE: Privileged and Confidential |

*Trial exhibits designated herein are annexed hereto, in the order designated hereby.

| Designation No. | Date | Document No. | Document Description |
|------------------------------------|-------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 144 | 11/14/2015 | JX 51 | Email from Michael Greenberg to Lynn Tilton, copying Jean Luc Pelissier and Rickie Chang - TransCare - presentation and budget model for TransCare's meeting with Wells Fargo at 2 p.m. on Monday, November 16th |
| 145 | 2/9/2016 | JX 72 | Email from Lynn P. Harrison III to Brian Stephen, copying Steven J. Reisman, Cindi Giglio and Peter J. Buenger - RE: Hello Lynn |
| 146 | 2/22/2016 | JX 91 | Email from Robert Strack to Lynn Tilton, John Husson, Melissa Provost, Michael Greenberg, Jean Luc Pelissier and Vincent Devito, copying Laurence Forte and Kurt Marsden - Re: 13 Week Model Question |
| 147 | 2/24/2016 | JX 100 | Email from Brian Stephen to Jean Luc Pelissier and Michael Greenberg, copying Randy Jones, Peter Wolf and Thomas Fuchs - RE: Request for Assignment |
| 148 | 2/25/2016 | JX 103 | Email from Brian Stephen to Matt Nolan and Jean Luc Pelissier, copying Glen Youngblood, Thomas Fuchs, Thomas Milea, Earl Kossuth, Jean Luc Pelissier (CBA), Michael Greenberg, Randy Jones and John Pothin - RE: Securing Assets |
| 149 | 2/26/2016 | JX 104 | Email from Salvatore LaMonica to Linda Rifkin - Re: TransCare |
| 150 | 2/26/2016 | JX 105 | Email from Randy Creswell to Salvatore LaMonica, copying Gary Herbst - RE: MTA Paratransit Contract |
| 151 | 10/09/2017 | JX 109 [Claim 586] | Proof of Claim of Ark II CLO 2001-1, Ltd. against TransCare Corporation |
| 152 | 10/09/2017 | JX 111 [Claim 587] | Proof of Claim of Patriarch Partners, LLC against TransCare Corporation |
| 153 | 10/09/2017 | JX 112 [Claim 585] | Proof of Claim of Patriarch Partners Management Group, LLC against TransCare Corporation |
| Plaintiff's Trial Exhibits* | | | |
| 154 | 6/4/2012 | PX 2 | Notice of Payment Assignment, executed on behalf of TransCare New York, Inc. - Re: TransCare Paratransit and Ambulette Service Contracts |
| 155 | 3/3/2015 | PX 44 | Email from Mike Weinberger to Lynn Tilton - RCA Proposal |
| 156 | 7/8/2015 | PX 73 | Email from Mike Weinberger to Lynn Tilton - Ambulance acquisition |
| 157 | 7/13/2015 | PX 83 | Email from Vincent Devito to Michael Greenberg - TransCare Inquiry |

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|------------------------|-------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 158 | 12/8/2015 | PX 111 | Email from Glenn Leland to Jean Luc Pelissier (CBA) and Michael Greenberg, copying Mark Bonilla - TCP |
| 159 | 12/14/2015 | PX 124 | Email from Glenn Leland to Michael Greenberg, Brian Stephen, Jean Luc Pelissier and Mark Bonilla - National Express |
| 160 | 12/16/2015 | PX 126 | Email from Daniel F. Fiorillo to John E. Husson, Kurt Marsden, Laurence S. Forte, Robert P. Strack and Melissa Provost - RE: Attorney client confidential information - TRANSCARE |
| 161 | 12/16/2015 | PX 128 | Email from Kurt Marsden to Lynn Tilton - TransCare |
| 162 | 1/26/2016 | PX 174 | Email from Michael Greenberg to Melissa Provost and John Husson, copying Jean Luc Pelissier- RE: Follow up |
| 163 | 2/3/2016 | PX 189 | Email from Michael Greenberg to Alexander T. Witkes, copying Adam Katz and Carl Landeck |
| 164 | 2/10/2016 | PX197 | Email from Michael Greenberg to Peter Wolf, copying Brian Stephen and Peter Ruffini - FW: Ark/TransCare Docs, attaching Ark II Credit Agreement, Security Agreement in favor of Ark II, Guaranty in favor of Ark II and Intercreditor Agreement |
| 165 | 2/10/2016 | PX 200 | Transcendence Transit II, Inc., Action by Written Consent of the Sole Director |
| 166 | 2/23/2016 | PX 226 | Email from Carlos Mercado to Lynn Tilton, copying Randy Jones and Renee Dudley - NYSIF Wire - Transcendence |
| 167 | 2/24/2016 | PX 228 | Email from Michael Greenberg to Todd Trent, copying John Foerst, John Pothin and Jean Luc Pelissier - RE: Transcendence |
| 168 | 2/24/2016 | PX 229 | TransCare New York, Inc, Written Consent of the Sole Director |
| 169 | 2/24/2016 | PX 233 | Email from Michael Greenberg to Jason Miles, copying Thomas Charles, Todd Trent, Don Arrowood, Joe Donnelly, Justin Ubbenga, John Pothin, John Foerst, Brian Stephen and John Foerst - RE: Transcendence Transit II, Inc |
| 170 | 2/25/2016 | PX 235 | Email from Brian Stephen to Robert Siegel and Michael Greenberg, copying Scott Whalen and Mark Villa - RE: Insurance |
| 171 | 2/25/2016 | PX 236 | Email from Brian Stephen to Kevin Dell, Randy Jones, John Pothin and Jean Luc Pelissier - FW: Transcendence Transit |

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|------------------------------------|-------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 172 | 2/26/2016 | PX 243 | Email from Michael Greenberg to Earl Kossuth, copying Glen Youngblood, Jean Luc Pelissier, Brian Stephen and Kevin Dell - Re: Pennsylvania Department of Health Licensure need *URGENT |
| 173 | 2/26/2016 | PX 244 | Email from Brian Stephen to Dian Morgenroth, copying Randy Creswell - Re: Transcendence Transit II, Inc./Paratransit Agreement |
| 174 | 2/26/2015 | PX 245 | Email from Brian Stephen to Diane Morgenroth - Re: Transcendence Transit |
| 175 | 2/27/2016 | PX 247 | Email from Jean Luc Pelissier (CBA) to Earl Kossuth, copying Randy Jones, Jean Luc Pelissier, Michael Greenberg, Matt Nolan and Thomas Fuchs - Re: Closure |
| 176 | 2/29/2016 | PX 249 | Email from Michael Greenberg to Alexander T. Witkes, copying Jean Luc Pelissier - RE: TransCare - Follow up |
| 177 | 3/17/2016 | PX 255 [Ch. 7 Case Dkt. No. 37] | Motion of the Chapter 7 Trustee for Order Approving the Stipulation Respecting the Sale of Certain Personal Property and Granting Related Relief |
| 178 | 3/25/2016 | PX258 [Ch. 7 Case Dkt. #52] | Order Approving the Stipulation Respecting the Sale of Certain Personal Property and Granting Related Relief |
| 179 | 1/11/2017 | PX275 [Ch. 7 Case Dkt. #275] | Order Approving the Mutual Release and Settlement Agreement among the Chapter 7 Trustee, Wells Fargo Bank, N.A., Montefiore Medical Center, Montefiore Mount Vernon Hospital and Montefiore New Rochelle Hospital |
| Defendants' Trial Exhibits* | | | |
| 180 | 8/4/2015 | DX 68 | Email from Lynn Tilton to Kurt Marsden- FW: TransCare - FYI - Envision Healthcare entered into definitive agreement to acquire Rural/Metro |
| 181 | 10/6/2015 | DX 73 | Email from Lynn Tilton to Michael Greenberg, copying Jean Luc Pelissier, Randy Jones and John Pothin - Re: TransCare - plan to visit TransCare this afternoon |
| 182 | 12/21/2015 | DX 97 | Email from Michael Greenberg to Lynn Tilton, copying Jean Luc Pelissier and Brian Stephen - TransCare - Summary of meeting with Wells Fargo |
| 183 | 1/12/2016 | DX 108 | Email from Randy Jones to Lynn Tilton - Re: Rob Stuck and Thom Fuchs CoC bonus guidance |

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|------------------------|-------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 184 | 1/28/2016 | DX 120 | Email from Lynn Tilton to Michael Greenberg, copying Jean Luc Pelissier, Renee Dudley and Adam Katz - Re: TransCare - purchase of 2 vehicles (previously discussed) |
| 185 | 2/12/2016 | DX 140 | Email from Jonathan N. Helfat to Cindi Giglio, Lynn P. Harrison III, Carl Landeck, Jonathan Killion, Marc Pfefferle, Lynn Tilton, Jean Luc Pelissier, Randy Jones, Michael Greenberg and Daniel F. Fiorillo, copying Robert Strack, John Husson and Melissa Povost - FW: TransCare |
| 186 | 2/23/2016 | DX 170 | Email from Lynn Tilton to John Foerst and Todd Trent, copying Glen Youngblood, Michael Greenberg and Thomas Charles - RE: Loss run |
| 187 | 7/31/2019 | DX 196 | Direct Testimony of Jonathan I. Arnold, Ph.D |

*Trial exhibits designated herein are annexed hereto, in the order designated hereby.

Dated: August 28, 2020

AMINI LLC

/s/ Bijan Amini

Bijan Amini

Avery Samet

Jeffrey Chubak

131 West 35th Street, 12th Floor

New York, New York 10001

(212) 490-4700

bamini@aminillc.com

asamet@aminillc.com

jchubak@aminillc.com

*Attorneys for Plaintiff Salvatore LaMonica,
as Chapter 7 Trustee*